

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JENNIFER WACKER MARTIN and)	
ANNELIESE I. WACKER,)	Civil Action
)	No. 03-CV-06793
Plaintiffs)	
)	
vs.)	
)	
TYRONE COMUNALE and)	
JOHN DOE,)	
)	
Defendants)	

O R D E R

NOW, this 18th day of January, 2006, upon consideration of Defendant Constable Tyrone Comunale's Motion for Summary Judgment filed on July 29, 2005; upon consideration of Plaintiffs' Answer to Defendant Tyrone Comunale's Motion for Summary Judgment filed on August 24, 2005; upon consideration of the briefs of the parties; it appearing that plaintiffs have neither identified nor served defendant John Doe; and for the reasons expressed in the accompanying Memorandum,

IT IS ORDERED that defendant's motion for summary judgment is granted.

IT IS FURTHER ORDERED that plaintiffs' claims against defendant Tyrone Comunale are dismissed.

IT IS FURTHER ORDERED that plaintiffs' claims against defendant John Doe are dismissed.

IT IS FURTHER ORDERED that the Clerk of Court shall
close this case for statistical purposes. _____

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge